



WILLIAMS, PORTER, DAY & NEVILLE P.C.
Wyoming's Law Firm

Patrick J. Murphy
P.O. Box 10700
159 N. Wolcott St. Suite 400 (82601)
Casper, WY 82602
pmurphy@wpdn.net

May 8, 2020

NOTICE TO CEASE AND DESIST

Via E-Mail and Hand-Delivered

Gerry Spence
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK & TOOLEY, P.C.
159 N. Wolcott, Ste. 220
Casper, WY 82601

Re: Trademark Infringement – Cease and Desist

Dear Mr. Spence:

It has come to our attention you are making unauthorized and damaging use of the trademark *Trial Lawyers College*. The following are the unauthorized and damaging actions of which we are currently aware:

- On or just before April 30, 2020, Gerry Spence's step-son, Christopher Hawks, filed Articles of Incorporation for a new non-profit corporation named, "Gerry Spences Trial Lawyer College at the Thunderhead Ranch." Plaintiffs' new nonprofit corporation uses TLC's trademark as a part of its *name*.
- On or before April 30, 2020, the Plaintiffs accessed TLC's database of emails (the "Listserve") and used their access to create a new Listserve and send a mass email. The email stated the "old listserve was experiencing difficulties" and that "Gerry Spence authorized a new listserve." The email was sent from "Gerry Spences Trial Lawyer College."
- On May 1, 2020, the Plaintiffs posted a video to YouTube.com (<https://www.youtube.com/watch?v=DwBPLFUht5s>) where TLC's trademark and logo are used in connection with the Plaintiffs' new company name, "Gerry Spences Trial Lawyer College at the Thunderhead Ranch."

**EXHIBIT
H**



Gerry Spence
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

Page 2 of 3

- On May 6, 2020, the [former] Minority Directors/Plaintiffs held a meeting immediately following TLC's Special Board of Directors Meeting (where the Plaintiffs were *not* re-elected to the Board of Directors of TLC). The Plaintiffs' follow-up meeting, a sham and masquerade, was held to further and solidify Plaintiffs' take-over ambitions and perception with TLC's 2000+ alumni that their subsequent and infringing organization was the actual Trial Lawyers College. After this sham meeting, and in furtherance of this general approach, the Plaintiffs used TLC's Listserve, again, unbelievably, to send a second mass email to TLC's alumni. The email stated "Election Results" notifying TLC's alumni that Plaintiffs had elected themselves to the Board of Directors, and "Housekeeping Matters," where Plaintiffs portrayed themselves as the Board of TLC to TLC's alumni. The email was sent from "Gerry Spence via Gerry Spence's Trial Lawyer College."
- Throughout this period, the [former] Minority Directors/Plaintiffs and the new corporation have continued to use the Thunderhead logo, which is a logo trademarked by Trial Lawyers College, all in furtherance of a prohibited approach seeking to confuse and mislead the public.

Under federal registration laws, TLC is the owner of the trademark "Trial Lawyers College" currently with the United States Patent and Trademark Office under the following registration number: 85514661

Additionally, TLC is the owner of its logo, the Thunderhead Mark, currently with the United States Patent and Trademark Office under the following registration number: 85517685

We hereby demand that you immediately cease and desist use of TLC's trademark and logo that has caused and will continue to cause misrepresentation, infringement and damages in relation to TLC's distribution, advertising, marketing, education, training, identification, and public perception of its training products and services.

1. Cease all communication with TLC's Listserve, alumni, donors and prospective students.
2. Cease sending mass emails to TLC's Listerve and disparaging TLC's Board Members.
3. Remove the video posted on YouTube.com (at the link above) and cease publishing anything online, including all social media sites, that may confused TLC's alumni and/or the public about TLC's trademark: Trial Lawyers College or the Thunderhead logo.



Gerry Spence
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

Page 3 of 3

4. Dissolve or rename the newly incorporated non-profit corporation, "Gerry Spences Trial Lawyer College at the Thunderhead Ranch," as it is a direct infringement of TLC's trademark.

If you fail to comply with the aforementioned demand(s) within 3 days we will have no choice but to pursue all causes of action and applicable relief and remedies to protect TLC's interests and trademarks.

It is in our best interests to have this issue amicably settled in an effort to avoid further legal remedies as provided by State and Federal laws.

Sincerely,

A handwritten signature in blue ink that appears to read "Patrick J. Murphy".

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")



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pmurphy@wpdn.net

May 8, 2020

NOTICE TO CEASE AND DESIST

Via E-Mail and U.S. Mail

Gerry Spences College of Trial Lawyers at the Thunderhead Ranch, a Wyoming non-profit corporation

c/o Christopher Hawks, Esq., its Incorporator
P.O. Box 4430
Jackson, WY 83001
Chris@hawkassociates.net

Re: Trademark Infringement – Cease and Desist

Dear Mr. Hawks:

It has come to our attention the corporation (above) is making unauthorized and damaging use of the trademark *Trial Lawyers College*. The following are the unauthorized and damaging actions of which we are currently aware:

- On or just before April 30, 2020, Gerry Spence's step-son, Christopher Hawks, filed Articles of Incorporation for a new non-profit corporation named, "Gerry Spences Trial Lawyer College at the Thunderhead Ranch." Plaintiffs' new nonprofit corporation uses TLC's trademark as a part of its *name*.
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Lawyers at the Thunderhead Ranch, a Wyoming non-profit corporation c/o Christopher Hawks, Esq. Its incorporator

Page 2 of 3

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Lawyers at the Thunderhead Ranch, a Wyoming non-profit corporation
c/o Christopher Hawks, Esq. Its incorporator

Page 3 of 3

and/or the public about TLC's trademark: Trial Lawyers College or the Thunderhead logo.

4. Dissolve or rename the newly incorporated non-profit corporation, "Gerry Spences Trial Lawyer College at the Thunderhead Ranch," as it is a direct infringement of TLC's trademark.

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Sincerely,

A handwritten signature in blue ink that appears to read "PJM".

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")



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May 8, 2020

NOTICE TO CEASE AND DESIST

Via E-Mail and Hand-Delivered

John Zelbst
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK & TOOLEY, P.C.
159 N. Wolcott, Ste. 220
Casper, WY 82601

Re: Trademark Infringement – Cease and Desist

Dear Mr. Zelbst:

It has come to our attention you are making unauthorized and damaging use of the trademark *Trial Lawyers College*. The following are the unauthorized and damaging actions of which we are currently aware:

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John Zelbst
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

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John Zelbst
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

Page 3 of 3

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Sincerely,

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")



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May 8, 2020

NOTICE TO CEASE AND DESIST

Via E-Mail and Hand-Delivered

Joseph Low
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK & TOOLEY, P.C.
159 N. Wolcott, Ste. 220
Casper, WY 82601

Re: Trademark Infringement – Cease and Desist

Dear Mr. Low:

It has come to our attention you are making unauthorized and damaging use of the trademark *Trial Lawyers College*. The following are the unauthorized and damaging actions of which we are currently aware:

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Joseph Low
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

Page 2 of 3

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Joseph Low
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
TOOLEY, P.C.

Page 3 of 3

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Sincerely,

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")



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May 8, 2020

NOTICE TO CEASE AND DESIST

Via E-Mail and Hand-Delivered

Kent Spence
c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK & TOOLEY, P.C.
159 N. Wolcott, Ste. 220
Casper, WY 82601

Re: Trademark Infringement – Cease and Desist

Dear Mr. Spence:

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c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK &
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Sincerely,

A handwritten signature in blue ink that reads "PJM".

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")



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c/o Ken Barbe, Esq.
WELLBORN SULLIVAN MECK & TOOLEY, P.C.
159 N. Wolcott, Ste. 220
Casper, WY 82601

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Dear Mr. Parris:

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Rex Parris
c/o Ken Barbe, Esq.
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Rex Parris
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Sincerely,

Patrick J. Murphy
Counsel for Trial Lawyers College ("TLC")